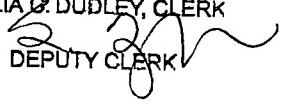


JAN 30 2020

JULIA Q. DUDLEY, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

METKEL ALANA,) CASE NO. 7:18CV00420
v.)
Plaintiff,) MEMORANDUM OPINION
OFFICER ROSE, ET AL.,) By: Glen E. Conrad
Defendants.) Senior United States District Judge

Metkel Alana, a Virginia inmate proceeding pro se, filed this civil rights action pursuant to 42 U.S.C. § 1983, alleging that certain prison officers used nonlethal firearm devices to shoot him on two occasions, after which he was charged with fighting. The officers involved in the shootings are named as defendants and have filed a motion for summary judgment. By opinion and order entered December 20, 2019, the court granted a separate motion to dismiss Alana's claims against Harold Clarke, the Director of the Virginia Department of Corrections ("VDOC"). The court found that Alana's allegations against Clarke were insufficient to state a claim of supervisory liability against Clarke on the theory that the VDOC use of force policy caused the other defendants' alleged use of excessive force against Alana. Alana moves for reconsideration of the court's order dismissing Clarke. Because the allegations in the motion are unpersuasive or merely cumulative of allegations in Alana's prior pleadings, the court remains satisfied that he has failed to state any § 1983 claim against Clarke. Therefore, the motion to reconsider will be denied. An appropriate order will issue herewith.

ENTER: This 30th day of January, 2020.



Senior United States District Judge